



Flathead County
Planning & Zoning
1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210

MAR 9 2016

APPLICATION FOR A VARIANCE

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 380

Before completing this application please read instructions on page 4.

1. OWNER:

Name: Ronald J. Platke
Address: PO Box 2092 Phone: 406-253-0768
City/State/Zip: Whitefish, MT 59937
Email: _____

INTEREST IN PROPERTY: 100%

2. APPLICANT: *(If different from above)*

Name: _____
Address: _____ Phone: _____
City/State/Zip: _____

3. TECHNICAL/PROFESSIONAL ASSISTANCE: *(If applicable)*

Name: Marquardt Surveying
Address: 201 3rd Ave W Phone: 406-755-6285
City/State/Zip: Kalispell, MT 59901
Email: sarah@mmsurvey.net

4. LOCATION OF PROPERTY FOR WHICH VARIANCE IS SOUGHT:

Physical Address: N/A

5. ZONING DISTRICT: Hwy 93 North **ZONING DESIGNATION:** SAG-5

6. DATE PROPERTY ACQUIRED: 12-09-2015

7. LEGAL DESCRIPTION:

Subdivision *(if applicable)* _____ Lot/Tract(s) 6CA
Assessor # 0014906 Section 20 Township 29 Range 21

8. **REQUEST FOR A VARIANCE FROM THE PROVISIONS OF** *(State Section, Part, and Paragraph of the Zoning Regulations):* _____
5.08.010 Part 3: "Flag lots shall be permitted in the "R" districts only..."

9. **THIS IS A REQUEST FOR A VARIANCE IN RELATION TO THE PROVISIONS OF THE REGULATIONS** *(check one below):*

Area _____	Yard _____	Height _____
Coverage _____	Parking _____	Other Shape (flag lot) _____

10. **STATE SPECIFICALLY THE CHANGE(S) PROPOSED AND THE REASON(S) SUCH CHANGE(S) ARE NECESSARY** *(use additional sheet if necessary):*
Allow one flag lot within SAG-5 zoning. The topography, ground water and existing utilities within the
parcel will not allow for the West 5 acres to be utilized as a single family residential parcel due to buildable
area and approvable areas for wells and septic systems.

11. **EXPLAIN HOW YOUR CASE CONFORMS TO EACH OF THE FOLLOWING REQUIREMENTS** *(be complete, use additional sheet if necessary):*

A. Strict compliance with the provisions of these regulations will:
i. Limit the reasonable use of the property,

The topography, ground water and existing utilities within the parcel will not allow for the West 5 acres to be utilized
as a single family residential parcel due to buildable area and approvable areas for wells and septic systems.

ii. Deprive the applicant of rights enjoyed by other properties similarly situated in the same district.

This parcel can not be divided by a north/south line due to the physical and environmental constraints
of the property. By granting this variance, you are allowing the parcel to be divided into the 5 acre parcels permitted
in the SAG 5 zoning.

B. The hardship is the result of lot size, shape, topography, or other circumstance over which the applicant has no control.

The topography, ground water and existing utilities within the parcel will not allow for the West 5 acres to be utilized
as a single family residential parcel due to buildable area and approvable areas for wells and septic systems.

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C. The hardship is peculiar to the property.

The topography, ground water and existing utilities are only on the West 5 acres of this property. The surrounding properties do not seem to have the same ground water issues as the West 5 acres of this property does.

D. The hardship was not created by the applicant.

The hardship is due to the topography, ground water and existing utilities. The best option for DEQ approval is to have both the approved well and septic system sites on the east half of the property. This will be best for the parcels and the environment.

E. The hardship is not economic (*where a reasonable or viable alternative exists*).

The hardship is due to zoning and environmental constraints of the land. The property is surrounded by suburban agriculture (SAG-5 and SAG-10) zoning and would be considered spot zoning if the zoning were changed to residential zoning.

F. Granting the variance will not adversely affect the neighboring properties or the public.

The parcels will have a similar shape, size and use as the surrounding properties.

G. The variance requested is the minimum variance, which will alleviate the hardship.

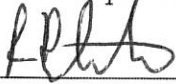
Allowing this variance will allow the parcels to be configured similarly to the surrounding areas and for both parcels to be maintained as single family residences and keep the 5 acres minimum for zoning.

H. Granting the variance will not confer a special privilege that is denied other similar properties in the same district.

Other properties in this area do not have the same environmental constraints due to the topography, ground water and existing utilities with the buildable area and approvable areas for wells and septic systems.

12. ATTACH A PLOT PLAN OR DRAWING.

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded or other appropriate action taken. The signing of this application signifies approval for FCPZ staff to be present on the property for routine monitoring and inspection during the approval and development process.



Owner/Applicant Signature

3-9-16

Date

INSTRUCTIONS FOR VARIANCE APPLICATION

1. ANSWER ALL QUESTIONS. Answers should be clear and contain all the necessary information.
2. In answering Question 7, refer to the classification system in the Zoning Regulations and explain in detail the specific standards from which the applicant is seeking relief.
3. In answering Question 9, be specific and complete. In this and all other questions, if additional space is needed you may use additional paper, and list which section number you are continuing.
4. Answer Question 10, A-H completely and fully.
5. A copy of the plot plan or site plan must be submitted with each application (*Please include 6 copies if you submit a size larger than 11x17*).
6. An 'Adjoining Property Owners List' request form must be submitted with the application, with a separate fee (*see form below*). The list will be sent directly to the Planning & Zoning office and is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
7. A fee per the FCPZ schedule of fees for a variance application must be submitted with this application to cover the cost of necessary investigation, publication, mailing and processing procedures.